

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
324 EAST ELEVENTH STREET
KANSAS CITY, MISSOURI 64106

Rem. C. ...
Copy to Mary
McDonnell
Jean, ...
File under
Agg. Waste
GAF Corp,
St. Louis

IN THE MATTER OF)

GAF CORPORATION)
BUILDING PRODUCTS PLANT)
4215 RIVERVIEW DRIVE)
ST. LOUIS, MISSOURI 63137)

DOCKET NO. VII-79-W-02

NPDES PERMIT NO. MO 0000779)

Permittee)

FINDINGS OF VIOLATION
AND
ORDER FOR COMPLIANCE

Proceedings Under
The Clean Water Act,
33 U.S.C. 1319, as amended

ORDER FOR COMPLIANCE

I
JURISDICTION

The following Findings of Violation (Findings) are made and Order for Compliance (Order) issued pursuant to the authority vested in the Administrator for the United States Environmental Protection Agency (EPA) by the Federal Clean Water Act, 33 U.S.C. Section 1319(a)(3), (a)(4), and (a)(5), as amended (hereinafter the Act), and by him duly delegated to the Regional Administrators of said Agency. The Regional Administrator redelegated said authority to the Director, Enforcement Division, EPA Region VII.

II
SERVICE

1. Pursuant to the Act, the following were served by certified mail, return receipt requested, with said Order for Compliance:

Murry Sherman
Plant Manager
GAF Corporation
Building Products Corporation
9215 Riverview Drive
St. Louis, Missouri 63137

GAF Corporation
140 West 51st Street
New York, New York 10020

CT Corporation System
314 North Broadway
St. Louis, Missouri 63102

A copy of this Order for Compliance was mailed to James P. Odendahl, P.E., Director, Division of Environmental Quality, P.O. Box 1368, Jefferson City, Missouri 65101.

III FINDINGS

1. Pursuant to 33 U.S.C. Section 1342 of the Act, the State of Missouri Department of Natural Resources issued a National Pollutant Discharge Elimination System (NPDES) permit to: GAF Corporation, 140 West 51st Street, New York, New York, 10020 for the facility located at 9215 Riverview Drive, St. Louis, Missouri 63137. The permit number, MO 0000779, became effective April 30, 1976, and will expire October 24, 1979.

2. The "Standard Conditions for NPDES Permits" of said permit, Section B - Management Requirements, 1. Change in Discharge states:

... The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit...

3. Representatives of EPA and the State of Missouri conducted an inspection tour of the St. Louis facility on October 12, 1978. Samples were taken at two points in the drainage ditch downstream from the 002 drainage ditch and one point in Maline Creek, the receiving stream, a tributary of the Mississippi River. These samples were analyzed for the presence of asbestos. The following results were found:

<u>Sample</u>	<u>Concentrations of Chrysotile Asbestos Fibers</u>	
	MFL (millions of fibers/liter)	Mass (micrograms/liter)
(1) Maline Creek Sediment at Riverview Drive Bridge	32	0.12
(2) GAF St. Louis discharge water - 002	3677	265
(3) GAF St. Louis sediment from ditch downstream from 002 discharge	4358	199

Permit No. MO 0000/79 does not authorize the discharge of asbestos, a toxic pollutant as defined in 33 U.S.C. 1317 of the Act.

4. The Permittee fails to keep records of the exact time, place and date of sample collection as required by Part 1(A)(1)(5) of the Standard Conditions of sample.

5. Grab samples are used to monitor Chemical Oxygen Demand (COD). The NPDES permit requires monitoring of COD by collection of a 24 hour composite sample.

6. The Permittee in addition to the limitations in the permit, routinely analyzes for Alkalinity, Acidity, Total Solids, Volative Solids, Oil and Grease, Fluoride, Settleable Solids, and BOD₅, all of which are recorded on discharge monitoring reports (DMRs) as required by 1,A,6 of the standard conditions of said permit.

7. Asbestos was found in the samples from the two sources which are direct contributors of asbestos to the drainage ditch and Maline Creek.

A. Two samples were taken in the drainage ditch upstream from discharge 002. Asbestos was found in the following amounts:

<u>Sample</u>	<u>Concentrations of Chrysotile Asbestos Fibers</u>	
	MFL (millions of fibers/liter)	Mass (micrograms/liter)
(4) GAF St. Louis water from ditch upstream from 002 discharge	681	14
(5) GAF St. Louis sediment samples from ditch upstream from 002 discharge	797	16

The asbestos in the water and sediment of the drainage ditch upstream from outfall 002 contributes to the pollutant's presence in Maline Creek.

B. Three samples were taken from the waste disposal piles located north of the 002 discharge ditch. Asbestos was found in the following amounts:

SampleConcentrations of Chrysotile Asbestos Fibers

	Weight (%)	Chrysotile Asbestos Fibers/gram of sample
(6) Waste Pile Sample	~ 2%	1.6×10^6
(7) Waste Pile Sample	~ 4%	2.5×10^6
(8) Waste Pile Sample	~ 1%	3.3×10^6

These waste piles were found to contribute asbestos to the contamination of the discharge ditch where discharge 002 is located. GAF Corporation is proceeding to isolate said waste pile containing asbestos contaminated materials.

IV
ORDER

IT IS HEREBY ORDERED:

1. That GAF Corporation, 9215 Riverview Drive, St. Louis, Missouri cease discharging the toxic pollutant asbestos from outfall 002 and any other source under their authority contributing to the presence of asbestos in Maline Creek.
2. That GAF Corporation comply with the sample collection procedures and reporting requirements of NPDES Permit No. MO 0000779.
3. That GAF Corporation comply with the sample collection and monitoring procedures for records keeping, permit limitations and reporting as required by NPDES Permit No. MO 0000779.
4. That GAF Corporation remove asbestos contaminated material from the drainage ditch both upstream and downstream from discharge 002.
5. That GAF Corporation isolate asbestos contaminated material present in the waste piles on the facility site.

V
EFFECTIVE DATE FOR COMPLIANCE

This Order shall become effective upon receipt of this Order for Compliance by CT Corporation, the official registered agent for GAF Corporation in Missouri. Thirty (30) days following the effective date of this Compliance Order, GAF Corporation shall have complied with this Order for Compliance.

Date Feb-26, 1979

W. Lamar Miller
W. Lamar Miller, Ph.D.
Director, Enforcement Division
Environmental Protection Agency, Region VII

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order for Compliance was served this 27th day of February, 1979, by placing a copy thereof in the United States mail, first class postage prepaid, certified mail, return receipt requested, addressed to:

Murry Sherman
Plant Manager
GAF Corporation
Building Products Corporation
9215 Riverview Drive
St. Louis, Missouri 63137

CT Corporation System
314 North Broadway
St. Louis, Missouri 63102

GAF Corporation
140 West 51st Street
New York, New York 10020

I further certify that a copy of the foregoing was forwarded to James P. Odendahl, P.E., Director, Division of Environmental Quality, P.O. Box 1368, Jefferson City, Missouri 65101.

Terry Satterlee Watt
Terry Satterlee Watt
Attorney, Legal Branch
Enforcement Division
U.S. Environmental Protection Agency
Region VII